

**BUCHALTER**

A Professional Corporation  
J. Rick Taché (SBN: 195100)  
Kari L. Barnes (SBN 253640)  
Roger L. Scott (SBN: 247165)  
18400 Von Karman Avenue, Suite 800  
Irvine, CA 92612-0514  
Telephone: 949.760.1121  
Facsimile: 949.720.0182  
Email: rtache@buchalter.com  
kbarnes@buchalter.com  
rscott@buchalter.com

Attorneys for Defendants  
AMP Plus, Inc. dba ELCO Lighting and  
ELCO Lighting, Inc.

**DAVIDSON LAW GROUP, ALC**

Ben M. Davidson (SBN 181464)  
ben@dlgla.com  
4500 Park Granada Blvd., Suite 202  
Calabasas, CA 91302  
Telephone: (818) 918-4622

**ERGONIQ LLC**

David W. Long (admitted *pro hac vice*)  
longw@ergoniq.com  
8200 Greensboro Drive, Suite 900  
McLean, VA 22102  
Telephone: (202) 847-6853

Attorneys for Plaintiff, DMF, Inc.

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

DMF, INC. a California Corporation,

Plaintiff,

v.

AMP PLUS, INC. d/b/a ELCO  
LIGHTING, a California Corporation;  
ELCO LIGHTING, INC., a California  
corporation;

Defendants.

Case No. 2:18-cv-07090 CAS (GJSx)

**Joint Stipulation To Continue Date  
For Submitting Status Report  
Proposing Pretrial And Trial Dates**

[Proposed Order Submitted  
Concurrently Herewith]

1 Pursuant to the Court's September 14, 2021 Order that the parties file a joint  
2 status report in this matter (ECF No. 566), Plaintiff DMF, Inc. ("DMF") and  
3 Defendants AMP Plus, Inc. dba ELCO Lighting and ELCO Lighting, Inc.  
4 (collectively "ELCO") state as follows:

5 The parties have met and conferred regarding a proposed schedule in this  
6 matter. The parties agree that trial setting in this matter should be deferred until  
7 after the United States Court of Appeals for the Federal Circuit issues a decision in  
8 the pending appeal and cross-appeal in the matter *DMF, Inc. v. AMP Plus, Inc.*, No.  
9 2021-1595, -1636 (the "Appeal").

10 On July 23, 2021, ELCO filed its opening brief in the Appeal. Appeal, Dkt.  
11 15. DMF's opening brief is due November 1, 2021. Appeal, Dkt. 22. Based on the  
12 current schedule, the Appeal will be fully briefed on or about December 31, 2021.  
13 Based on the Federal Circuit's usual scheduling, the parties anticipate that oral  
14 argument will occur in late Spring 2022, and an opinion will issue thereafter.

15 The parties believe that the Federal Circuit's ruling on the Appeal will inform  
16 the issues to be tried and may conserve court resources. Further, after the Federal  
17 Circuit's decision, an opportunity may arise for the parties to have productive  
18 settlement discussion, preferably with the assistance of Magistrate Judge  
19 MacKinnon, who was instrumental in leading the parties to settlement of the design  
20 patent infringement case filed by DMF against ELCO.

21 The parties therefore respectfully request that the Court continue the time to  
22 set a pretrial and trial date (see Order Setting Date For Joint Status Report (dkt.  
23 566), and require the parties, within two (2) weeks following the decision in the  
24 Appeal, to submit a joint status report to the Court including proposed dates for the  
25 final pretrial conference and trial.

Respectfully submitted,

DATED: September 29, 2021

BUCHALTER  
A Professional Corporation

By: /s/ Roger L. Scott

J. Rick Taché  
Kari L. Barnes  
Roger L. Scott  
Attorneys for Defendants  
AMP Plus Lighting, Inc.  
dba ELCO Lighting, and  
ELCO Lighting, Inc.

DATED: September 29, 2021

DAVIDSON LAW GROUP

By: /s/ Ben M. Davidson

Ben M. Davidson  
Attorneys for Plaintiff  
DMF, Inc.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on September 29, 2021, to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Civil Local Rule 5-3.2.1. Any counsel of record who have not consented to electronic service through the Court's CM/ECF system will be served by electronic mail, first class mail, facsimile and/or overnight delivery.

/s/ Ben M. Davidson  
Ben M. Davidson \_\_\_\_\_